[President]

perfectly clear that Travancore is not trembling in fear of any revolution or widespread communism or anything of that kind. They are only anxious that the people should not be misled into activities whose significance and import they themselves do not realise, but which are being stimulated by mischievous and designing persons some from within the State and some from outside.

The question that Government be granted a sum of Rs. 8,77,400 under Demand XIV—Police was put to vote and carried.

The demand was passed and the grant was made.

LEGISLATIVE BUSINESS.

THE TRAVANCORE DEBT RELIEF BILL – (*conta*)

Mr. N. Krishna Aiyar: Sir, I beg to move that "in clause 6, sub-clause (1) substitute a comma for the full stop and add the following words :—

"Provided however that in cases where the interest charged exceeds nine per cent. interest at nine per cent. only shall be recoverable." According to the present Section, if interest charged exceeds 9 per cent. the object is evidently to exclude the banks from the benefit of the exemption under the Act. It is also said that if the banks charge only 9 per cent, then they come under the exemption provisions of the Act. If that be so, is it right to penalise such of those banks which have charged a little more than 9 per cent. interest. Cochin Act, Section 9 (1) also provides for allowing 9 per cent. and in the case of the Central Provinces Act also Section 4 excludes altogether liability due to banks. Therefore, I commend my amendment to the acceptance of the House.

Mr. M. K. Ananthasiva Aiyar: I second it.

Mr. Kottur Kunjukrishna Pillai: I oppose the amendment. It has been pointed out in the Banking Enquiry Committee Report that the rise of banks and the conduct of the banks are very unsatisfactory and that it has been the cause, to a very large extent, to the indebtedness and other difficulties in the country. It has been stated by the representatives of banks that no decent banks which carry on the business of granting loans will charge more than 9 per cent. interest. This 9 per cent. interest with the usual customary rests will come to a high rate of interest and any bank which lends out money at a higher percentage of interest than this, is only by courtesy called banks and does not deserve any concession given to real banks. Banks have been given certain concessions in this Bill because they do some service to the public. The banks which have been charging abnormal rate of

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interest and those banks which have been mainly responsible for the accumulation of debt should not get any concession. It is only banks which conduct their business on proper scientific lines that can expect to have any concession. It has been recognised that they will not have to suffer if this clause is retained because rarely they charge more than 9 per cent interest. The good banks charge 6 per cent and 7 per cent. and 9 per cent. is the limit. So, there is no reason why this amendment should be accepted.

Mr. Puthupally S. Krishna Pillai : I oppose the amendment. In regard to banks, it must be acknowledged that they ordinarily charge interest at quarterly rests, at any rate, at half yearly rests. If that be so, honourable members will notice that it is not 9 per cent. simple interest that is ordinarily charged but compound interest. We have provided that even where 9 per cent. compound interest in the manner in which it is charged by the banks, the transaction will not be affected. But where it exceeds 9 per cent. whether simple or at the usual compound interest, the provision of the Act will apply. And what are those provisions ? That is my question. It is said that debts incurred after 23rd Dhanu 1112 will not be affected and my own impression is that in the case of banks, their advances are always short term loans and the bulk of the outstanding must be those relating to business carried on during the last two or three years. So the number of transactions that will be affected by this provision would be very limited. In such cases bankers themselves willl acknowledge that loans which have been long overdue and which they have found it difficult to get back go only to swell the liability of the debtor. It is not likely that the provision of this Act, if applied to such transactions, would affect adversely the interests of the banks or probably those who are interested in such concerns.

Mr. M. K. Ananthasiva Aiyar : May I know whether they would not have calculated interest at such rates and paid dividends on such income ?

Mr. Puthupally S. Krishna Pillai : Dividend is not to be declared on anticipated or expected income. If a bank has declared dividend or profit on the probable income, it cannot but suffer. It is the intention of the Act, and the general practice amongst the bankers is to declare dividends only on profits earned. If in Travancore the other thing has been done by a Bank it must have been cheating the public. I am quite sure that this provision is not likely to bring about any hardship in the case of honest banks. I oppose the amendment.

The amendment was put to vote and declared lost.

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Mr. K. K. Kuruvilla: I do not wish to move the amendment standing against my name. But I may be permitted to put a question to the Legal Remembrancer. I feel that if this clause is passed, it will be contrary, to what the Legal Remembrancer said at the beginning. He said that the co-operative society is a bank and according to this clause any bank which charges more than 9 per cent. interest is penalised. At the beginning, the Legal Remembrancer said that co-operative societies also come within the purview of the bill. But co-operative societies do not charge more than 9 per cent. interest and therefore they are really excluded from this Bill. This is in contradiction to what he said in the beginning. It is to clear this doubt that I sent up this amendment.

Mr. Puthupally S. Krishna Pillai: I am prepared to explain it for the satisfaction of the honourable member. The word used in a statute must be interpreted with reference to the definition given therein. If no definition of the word "Bank" was given, then the member would have been justified in interpreting the word in the ordinary sense in which it is understood. A bank means a public company carrying on in Travancore the business of banking at the commencement of the Act. Bank means a public company.

Mr. K. K. Kuruvilla: Is not the Co-operative Society a public company?

Mr. Puthupally S. Krishna Pillai: A public company is defined. "Public company" means a public company as defined in the Travancore Companies Act, IX of 1114, or in the Indian Companies Act 1913 or in the Companies Act of any Indian State or Foreign Government and includes a corporation formed in pursuance of any special enactment of Travancore, British India or the United Kingdom or by Royal Charter or Letters Patent." It is not a corporation formed in pursuance of any special statute. The Credit Bank is an institution registered under a special enactment. The University is a corporation which is brought into being under a special enactment.

Mr. T. Krishna Pillai: Yesterday Mr. Balakrishnan Tampi raised a point of order.

President: He did not raise any point of order. He wanted only certain doubts to be cleared.

The question that clause 7 does stand part of the Bill was put and carried.

The clause was added to the Bill.

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Clause 8.

Mr. N. Krishna Aiyar: Sir, I move that "In clause 8, in place of the full stop substitute a comma, and add the following:

> "If the debtor's entire properties, if any, (except such property which by or under any law for the time being in force is exempt from attachment and sale in execution of a decree) are placed under attachment, or the debtor gives all his properties as security or gives adequate security for the realisation of the entire debt".

I have only bodily copied the provision contained in clause 2 of Section 33 of the Agriculturists' Debt Relief Regulation. There is a provision for payment in instalments. It is stated there:—

> "No court shall order under Sub-section (1) that any money recoverable under a decree be recovered in instalments under the debt is entered properties, if any, (except such property which by or under any law for the time being in force is exempt from attachment and sale in execution of the decree) are placed under attachment, or if the debtor so elects, the debtor gives all his properties as security or gives adequate security to the satisfaction of the court for the realisation of the entire money recoverable under the decree and unless the debtor pays forthwith the full amount of the proposed instalment or such portion of it as may be decided by the court".

Since this principle has been accepted by our Legislature and the Government in that, I commend this amendment to the acceptance of the House. The creditor is entitled to get back his money and when that has been split up into instalments, it is only legitimate that at least security is furnished so that the instalments may be made assuredly available to the creditor. In these cases we are in effect making a wide infringement on the rights of the creditor in asking him to accept payments in bits spread over several years. In Act III of 1112 we find that there is no cut in the amount. Only the amount due under a decree is allowed to be paid in several instalments.

Here we find that there is a cut of 70 or 80 per cent. Subsequently, interest itself is reduced to 4 per cent and the instalments spread over a number of years. There should be at least some guarantee that they should be realisable. The Debt Relief Enquiry Committee has recognised the principle. In Section 21, appended to the Bill, they say "where the right to pay in instalments is claimed the debtor shall furnish security for the whole debt or such security as in the opinion of the court he is capable of furnishing". Therefore it is only as a compensation for the direct violation of his right that the creditor gets security. The only satisfaction of his would be that the instalments may be secured. Otherwise the property may be sold for other decrees and the creditor may lose heavily. To avoid such

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[Mr. N. Krishna Aiyer.]

a contingency it is only just and proper that security be given even though we may reduce the rate of interest and allow the instalments to spread over a number of years. Even that may be granted.

Mr. V. S. Arumukham Pillai: Sir, I support the amendment. The other day the Legal Remembrancer referred to Section 33 of the Agriculturists' Relief Act and said that the provisions of that section are more injurious than clauses 8 and 9 of the present Bill. The reason stated was, that under Section 33, the period was 12 years and under the clauses 8 and 9 of the bill the period is 9 years. Therefore, he argued that clauses 8 and 9 are more beneficial than Section 33 of the Act of 1112. Sir, as the mover of the present amendment has pointed out, that whatever be the provision given for security, whatever the extent of period, and whatever the amount and the number of instalments, there is safety for the creditor so that he or his legal representatives can realise the amount. Here on the other hand there is no likelihood of the creditor realising any amount. The debtor may pay one instalment and afterwards he may become insolvent. For example, A has to get from B Rs. 1,000. On a particular day B might have been in possession of, say, Rs. 3,000. If A executes the decree at that time, he may be in a position to realise the whole amount. Now, under this provision, he may pay the first instalment and dispose of the whole amount, and the poor creditor becomes helpless. So, my submission is, whatever may be the number of instalments and whatever may be the period allowed, it is quite reasonable that some security is provided for. That is a most reasonable request. With these words, I heartily support the amendment.

Mr. G. Narayana Aiyar: Sir, I support the amendment. The material amendment proposed is for tendering security for payments of the reduced amount. If the debtor is not inclined to pay after he has paid the first instalment and colludes with a third party and manages to have all his properties attached and sold before the next instalment what is the security for the creditor for the balance amount? He may have to keep quiet and cannot take any action in the interim period. That is really very hard. When the bill was originally drafted there was provision for security in case the debtor wants the benefit of instalments. What are the justifications for deleting such benevolent provisions? Also, it may so happen in the interim that the debtor's entire properties are alienated.

Mr. James Fletcher: Is there any objection for the creditor in attaching the properties of the debtor?

Mr. G. Narayana Aiyar: After all, what is the effect of the attachment? If in the meanwhile the debtor colludes with a

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third party and manages to sell such properties the creditor could only keep quiet. Attachment simply prevents alienation. It does not give a charge to the attaching creditor by the attachments. The debtor does not lose anything by tendering security and the creditor will be safe notwithstanding the order for reduction of the debt and the payment by instalments. As such I support the amendment.

Mr. Puthupally S. Krishna Pillai: Sir, I oppose the amendment. Mr. Narayana Aiyar put the question as to what could be done if no decree has been obtained. It must be remembered, Sir, that this Act is not intended to prevent the creditor from instituting a suit and obtaining a decree for any sum that is due to him. In Clause 10 it is provided "Nothing contained in section 8 or section 9 shall be deemed to affect the powers of a Court under the Code of Civil Procedure, 1100, or the rights of a creditor to institute a suit for the recovery of his debt". Now these two powers have been specially reserved and it is specifically stated that nothing contained in this provision shall prevent a creditor from instituting a suit for the recovery of a debt which is due to him. If that is so, the creditor will have to file a suit. And if with intent to defeat or delay the creditor the debtor attempts to alienate his properties, an order under section 36 of the C. P. C. can be applied for.

Mr. M. K. Ananthasiva Aiyar: Can another attachment be effected by the creditor when the debtor can sell away the property?

Mr. Puthupally S Krishna Pillai: He will not. If it is found that the debtor has paid one instalment in respect of one decree and defaulted in another, the creditor can rely on clause 10. The powers of the court to pass any order which it is competent to pass according to the Civil Procedure Code are not taken away. In such cases the Court would be competent to pass such orders as would be determined by the merits of each case.

Mr. G. Narayana Aiyar: May I know whether there is a specific provision in the Act, demanding the attachment of security?

Mr. Puthupally S. Krishna Pillai: That remedy is not denied under the Bill. I was speaking on the motion.

President: Order. Order.

Mr. G. Narayana Aiyar: May I know whether there are not sufficient provisions to enable the debtor to take shelter under Rural Insolvency jurisdiction when he is unable to pay?

Mr. Puthupally S. Krishna Pillai: Yes, when he is unable to pay the debt. The debtor being "unable to pay the debt" is different from "furnishing adequate security". If the

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[Mr. Puthupally S. Krishna Pillai.]

debtor finds himself unable to pay he may apply under the insolvency jurisdiction. But to say, in order that a person may become entitled to the benefit of the Act, he should be able to pay the debt and he should be able to furnish adequate security to the satisfaction of the court will be very onerous.

Mr. James Fletcher : If he is not able to give adequate security he can give all his properties as security ?

Mr. Puthupalli S. Krishna Pillai : Suppose there are two debts and I have to give all my properties as security for one debt. If I want to pay in instalments for other debt ?

Mr. N. Krishna Aiyar : May I point out to the honourable Legal Remembrancer that even if all the properties are attached any other creditor can execute the sale ?

Mr. Puthupally S. Krishna Pillai : Is there any provision of law preventing other creditors from placing attachments over all his properties ?

Mr. M. K. Ananthasiva Aiyar : There are 3 creditors. The debtor colludes with one of the creditors and gets a decree passed unopposed. But at the sametime it does not prevent the subsequent holder to sell away all the properties to the prejudice of the other creditors.

Mr. Puthupally S. Krishna Pillai : Suppose without this law two creditors obtain and execute their decrees. What will happen ?

Mr. N. Krishna Aiyar : Under the existing law that creditor if he has got a decree in this case to wait for a period of 9 years, he will have to keep quiet. He will not be entitled even to apply for a rate of distribution. In that way, I know a number of cases. Even in the present Act, there have been difficulties.

Mr. Puthupally S. Krishna Pillai : If the honourable member's objection relates to the difficulty under the existing law in getting rateable distribution of the money, he can amend the Civil Procedure Code. But to say that the debtors' right to pay in instalments should depend upon his ability to furnish security to every creditor, is inconsistent with the spirit of the Act.

Mr. M. K. Ananthasiva Aiyar : The amendment does not say "to the satisfaction of the creditor".

Mr. Puthupally S. Krishna Pillai : What is exactly meant by saying "all his properties" is that.

Sir, then it is said, "*adequate security. Adequate,* to be judged by whom ? "Adequate security for the realisation of the entire debt"—whom are we to satisfy in this matter of adequacy ?

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Mr. N. Krishna Aiyar : The section means to the satisfaction of the Court.

Mr. Puthupally S. Krishna Pillai : Where is it said so? I do not find it in the amendment It is not provided that the payment of a debt shall be only through the Court.

Mr. G. Narayana Aiyar : It is to the satisfaction of the creditor or if there is disagreement between the creditor and the debtor, to the satisfaction of the court.

Mr. Puthupally S. Krishna Pillai : Yes ; in the proposed amendment it is not so stated, and all provisions which are liable to conflicts should as far as possible be avoided.

Mr. V. S. Arumukhom Pillai : Do not the creditors have the right to proceed straight way ?

Mr. Puthupally S. Krishna Pillai : Yes ; nowhere has that right been taken away. Why not the creditor institute a suit ? The only thing is that he cannot sell his properties.

Mr. V. S. Arumukhom Pillai : May I know whether the decree-holder has a right to attach after the decree ?

Mr. Puthupally S. Krishna Pillai : Where is the right taken away ? The Bill does not purport to take away that right.

(At this stage three honourable members stood up simultaneously to put questions).

President : Order, order. Now and then I allow two persons to speak at the same time, but I cannot allow three honourable members. (*Laughter.*)

Mr. V. S. Arumukhom Pillai : Sir, may I know whether after the decree has been passed and an order obtained from the court for payment by instalments, the creditor or the decree-holder is entitled to attach ? He has obtained an order for payment by instalments. Has the decree-holder the right to attach ? There is a charge, an order entitling the decree-holder to receive payments by instalments only.

Mr. Puthupally S. Krishna Pillai : If the debt is subsisting and he has got a decree which he could execute, he can institute a suit and apply for a judgment. If a debt has matured into a decree and if any debt is due under that decree he can still protect his right by instituting a suit.

Mr. N. Krishna Iyer : As soon as you put the application it is immediately rejected and for every suit he files, the creditor has to lose thirty per cent. of the court fee.

Mr. Puthupally S. Krishna Pillai : If there is no debt due under the decree there is no protection necessary. In the alternative case, if the creditor is able to satisfy that for the purpose of

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[Mr. Puthupalli S. Krishna Pillai.]

causing loss to the decree-holder the debtor is going to sell away the property, the court has the power under the Civil Procedure Code to grant relief and that power is not sought to be taken away.

Mr. Kochikal P. Balakrishnan Tampi: Sir, I now propose that the motion may be put to vote.

President: You move for the closure?

Mr. Kochickal P. Balakrishnan Tampi: Yes.

President: Is it seconded?

Mr. T. K. Kitten: Yes, I second it.

The question that the discussion of the motion may be closed was put to vote and the House divided as follows —

AYES—27.

1.	Mr. Kochikal P. Balakrishnan Tampi	9.	Mr. Kottur Kunjukrishna Pillai
2.	,, A. Easwara Pillai	10.	,, K. K. Kuruvilla
3.	,, P. R. Godavarma Raja	11.	Sahib Bahadur T. Mahomed Ismail
4.	,, M. Govindan	12.	Mr. Kallur Narayana Pillai
5.	,, T. W. U. Pourk	13.	,, V. Sankara Menon
6.	,, K. M. Kesavan	14.	,, P. I. Simon
7.	,, T. K. Kittan	15.	,, Thomas Chandy Mukkadan
8.	,, T. Krishna Pillai		

NOES—6.

1.	Mr. V. S. Arumukham Pillai	4.	Mr. Jacob Cheriyan
2.	,, N. Krishna Aiyar	5.	,, Sambasiva Aiyar
3.	Miss Thressia Kora	6.	,, Veeriah Reddiar

NEUTRALS—4.

1.	Mr. James Fletcher	3.	Mr. C. N. Thuppan Namboodiri
2.	,, E. K. Kuripe	4.	,, M. K. Ananthasiva Aiyar

Mr. G Narayana Aiyar: Sir, in the matter of such importance is it in order to move for the closure of the motion?

President: In the case of Legislation, there is no time limit for speeches. It used to be held in England that the Parliamentary Procedure is that the closure or guillotine was not applicable to the Legislative business. But later Parliamentary practices have been introduced in the English Legislature in view of certain Legislation which the Irish Party obstructed in 1895—96 and the Labour Party obstructed later—that the closure motion could be held applicable by way of analogy to the Legislative business also. This has been copied in American Legislatures and also in the Central Legislative Assembly and that is why I have stated that contention.

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The question that :

"In Clause 8, in place of the full stop substitute a comma, and add the followng :

'if the debtor's entire properties, if any, (except such property which by or under any law for the time being in force is exempt from attachment and sale in execution of a decree) are placed under attachment, or the debtor gives all his properties as security or gives adequate security for the realisation of the entire debt".

was put to vote and declared lost.

The question that clause 8 do form part of the Bill was put to vote and declared carried.

Clause 8 was added to the Bill.

Clause 9.

Mr. N. Krishna Aiyar : Sir, I beg to move that :—

"In Clause, 9, sub-clause (1) after 'eighty per cent.' as 'ninety per cent.' and alter 'nine years' as "three years".

Sir, I wish to point out that if eighty per cent. of the amount is calculated till the 23rd Dhanu 1112, it will be found that the amount so obtained will cut even the principal.

The reasons which prompted me to alter eighty per cent. as ninety per cent. is that if eighty per cent. is calculated in several transactions entered into before 1112, the resulting amount would be less than the principal. It is to avoid a cut in the principal I suggested that 80 per cent. may be changed into 90 per cent. For the alteration of nine years as three years I rely upon the provisions contained in the original Bill where only three years was stipulated for repayment.

Mr. M. K. Ananthasiva Aiyar : I second the motion.

Mr. Puthupally S. Krishna Pillai : Sir, this is bargaining. Here is a provision made, that if a debt is paid in nine years, he is entitled to 20 per cent. reduction. He wants not only that the reduction should be only by 10 per cent., but also want that the time given for repayment should be only three years. I submit Sir, that the House should be more liberal in the matter of reduction. I do not think that there is any person in Travancore who is not satisfied that the debtor deserves some sympathy. Government are taking every step possible for ascertaining public opinion in the matter. I am not satisfied, Sir, that a ten per cent. reduction, if payment is made in three years time, will be satisfactory. I think it would appear as though the Bill itself was introduced for the purpose of protecting the creditor, who finds it difficult to get back his amount.

After all if you compare this Bill with the provisions contained in other enactments of this kind in force in British India, the creditors will feel thankful that in the result the debtors demand only

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[Mr. Puthupalli S. Krishna Pillai.]

a justifiable reduction and even that for payment. The provisions are more or less a compromise between the debtor and the creditor. Elsewhere it is stated that if a creditor has received twice the amount he has advanced by way of principal, he shall not be entitled to get a pie out of the principal that he had advanced. If such a provision or a fraction of that provision is made here I do not know what our friends will say. Those creditors who advocate the Madras Debt Relief Act or the Cochin Relief Act must concede that the debtors here are very modest in their demand and that the Government's attitude is very fair. I oppose the amendment.

The amendment of Mr. N. Krishna Aiyar that:

In clause 9, sub-clause (1) after "eighty per cent" as "ninety per cent." and alter "nine years" as "three years".

was put to vote and declared lost.

The amendment of Mr. K. K. Kuruvilla that

In clause 9, sub-clause (1), instead of figure "9" figure "12" must be inserted.

was not moved.

Mr. N. Krishna Aiyar: Sir, I do not want to higgle and haggle. Therefore I am not going to move my amendment that

In Clause 9, sub-clause (1) (c) alter "six per cent," as "one-sixth" or in the alternative as "one-eighth" or in the alternative as "ten per cent."

The amendment was not moved.

Mr. N. Krishna Aiyar: I move that

In Clause 9, sub-clause (1) add another proviso as follows:—"and (d) the amount of the reduced debt shall in no case be less than the principal amount of the debt outstanding on the date of the Act".

Sir, the honourable member, the Legal Remembrancer, was referring to the Madras Act. There, Mr. C. Rajagopalachariar, the Congress Premier, who sponsored the Bill elaborated on the sacredness of the principal. The Land Revenue Commissioner, one of the Government representatives in the Committee has also said that in no case the principal amount should be cut. The sacredness of the principal does not require my elaboration.

Mr. Kochikkal P. Balakrishnan Tampi: May I ask the honourable member to satisfy my curiosity to hear what he says.

Mr. N. Krishna Aiyar: I say that the sacredness of the principal should not be left unprotected.

Mr. M. K. Ananthasiva Aiyar: I second the motion.

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Mr. Puthupally S. Krishna Pillai: The learned member says that in no case the principal should be affected, and that, even if the creditors have received thrice the amount by way of interest, Mr. Krishna Aiyar says that the principal is 'sacrosanct' and should not be touched.

Mr. Kochikkal P. Balakrishnan Tampi: If the Legal Remembrancer will not feel irate, I shall answer for him.

Mr. Puthupally S. Krishna Pillai: I am bound to a certain extent to answer all the points raised. I have no new fact to present before the House. It appears that Mr. Krishna Aiyar wants that even if ten times the principal is received, the principal should not be touched. In Madras, if twice the amount is received by way of interest, you cannot get a pie out of that sacred principal.

Mr. N. Krishna Aiyar: Does the honourable member concede that the rule of Dandipet may be introduced.

Mr. Puthupally S. Krishna Pillai: The rule of Dandipet is in full force in Madras, but Government do not want to enforce the same here.

Mr. G. Narayana Aiyar: May I know if the interest is only partially given, he is prepared to make no reduction on the principal?

Mr. Puthupally S. Krishna Pillai: Sir, I may discuss that matter later on. Here I am called upon to answer the amendment which is given notice of. That question does not arise here.

The amendment of Mr. N. Krishna Aiyar that:

In Clause 9, sub-clause (1) add another proviso as follows:

"and (d) the amount of the reduced debt shall in no case be less than the principal amount of the debt outstanding on the date of the Act."

was put to vote and declared lost.

President: I think we have almost finished an hour of discussion and yet we are not very much near the end. Just for curiosity and for refreshing my memory as to whether my ruling was correct, I looked into May's Parliamentary Practice and found that the ruling was correct. I found, too, certain other passages which may be of assistance to honourable members of the House. The same closure rules, which are sometimes referred to as Guillotine Rules, provide also as a matter of practice, occasions, when "temporary provision was made by the urgency of the resolutions of Sessions 1881 and 1882 to facilitate the consideration of several important Bills and in subsequent sessions resolutions have been agreed to by the House prescribing the conditions under which and the times at which the outstanding stages of the Bill and other business should be concluded."

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[President.]

It is open to the honourable members of the House to fix two or three hours on any day and say, just as they do in cases of budget demand, then if the business is not finished by then all outstanding questions may be put. It is open to the House to resolve that procedure. If honourable members are prepared to sit till 8 or 8-30, I am prepared to sit here. But if honourable members are not quite able or willing or capable of doing that, then, I would suggest that there must be a way found. Therefore if the honourable members of this House will confine their attention to the budget for the whole of to morrow and propose to devote Wednesday afternoon solely to this Bill, making it clear at the same time that the same procedure as is applicable to the budget, namely, if by the time alloted, the Bill is not finished all questions necessary to dispose of the Bill must be put, must be followed, that procedure can be adopted. It is entirely for the House to consider the course to be adopted.

Mr. V. Sankara Menon: I would suggest that we may sit for half an hour more to-day and after that, the time for the disposal of the amendments and the further stages of the Bill may be fixed as indicated by the President.

Mr. Kottur Kunjukrishna Pillai: The only question is that members who have sent in amendments should not complain that they were not heard.

President: It is open to the House with a sense of equity and justice to say that the minority have a right to be heard fully and that therefore every amendment may be allowed to be moved and seconded. It is open to the House to say so and it may be a very good thing, if a big majority gives that concession to the minority.

Mr. Kochikkal P. Balakrishnan Tampi: Sir, I wish opportunity is given to the minority to have their say. Otherwise it will be setting up a bad precedent of the majority exercising control over the minority.

President: It is quite possible. I have only given the information obtained by me as a result of my perusal of May's Parliamentary Practice.

Mr. N. Krishna Aiyar: Sir, I propose that the suggestion made by the Chair may be accepted, namely, that the whole matter relating to this Bill may be finished on the afternoon of Wednesday.

Mr. Puthupally S. Krishna Pillai: Sir, there are obvious difficulties in accepting such a motion, because under the Standing Orders the Budget grants can be discussed till 5 P. M. on that day.

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President: Supposing the House does not debate on any of the demand and on the first day voting on demands is all over, it does not mean that on the last day at 5 P. M. I must put all these demands to the vote of the House. All that I am suggesting is that if this House will exercise a certain amount of self-control over the Budget and finish the Budget by lunch time on Wednesday then Wednesday afternoon may be available for discussion of the Bill. If, on the otherhand, honourable members want to go on with the Bill now I am perfectly willing even to sit till 10 tonight.

Mr. Kottur Kunjukrishna Pillai: Sir, when Mr. Krishna Aiyar has not taken any objection to the procedure of finishing all the stages of the Bill on Wednesday afternoon, we will not be considered as unfair to the minority if we accept the suggestion.

Mr. G. Narayana Aiyar: I would like to say that if instead of proceeding with the Bill now some time is given us, most probably it may happen that all the amendments are not moved.

President: I am perfectly in the hands of the House. Either this House desires to go on from day to day and from hour to hour or it desires to have two hours on Wednesday. Either procedure is possible from the purely parliamentary point of view. It is for the House to decide one way or the other.

Mr. N. Krishna Aiyar: It is quite possible that we will be able to finish with the Bill on Wednesday afternoon.

Mr. V. Sankara Menon: I support the suggestion.

Mr. Puthupally S. Krishna Pillai: Sir, there are certain obvious difficulties in adopting the suggestion. The temporary provisions of the Agricultural Debt Relief Act expire on the evening of the 31st Karkadakam 1115 and if the Bill now before the House is not passed into law by the 1st of Chingom 1116, those provisions may not continue to operate till the passing of this Bill except by virtue of another Royal Proclamation.

President: Judging from what honourable members like Mr. Krishna Aiyar and Mr. Narayana Aiyar have stated, evidently they are not going to concentrate on certain definite amendments leaving out the others. Have I understood you correctly, Mr. Narayana Aiyar?

Mr. G. Narayana Aiyar: Yes, Sir.

President: If that is going to be the case, they may have the discussion for 2 hours on Wednesday afternoon. That will be the evening of the 30th. It is only on the evening of the 31st that the temporary provisions of Agricultural Debt Relief Act expire. This is purely a matter of procedure. It must not be taken that the Chair made any suggestion. It only gave some information. It is for the House to act on that information or not as it chooses.

Mr. N. Krishna Aiyar: Sir, I suggest that the whole business relating to the Debt Relief Bill be finished on the afternoon of Wednesday.

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Mr. V. Sankara Menon: I second the motion.

President: Does anybody object to it?

Mr. Puthupally S. Krishna Pillai: I do not object to it.

Mr. Kochikkal P. Balakrishnan Tampi: On the distinct understanding that the Bill will be passed at the close of the time on that day.

President: No. I shall then on that day await a motion by some honourable member on the lines of the Guillotine motion. If that motion is passed, then the questions necessary to the passing of the Bill will be put to the vote. If no such motion is passed, and the discussion of the Bill goes on, then the House has itself to blame.

Mr. Kochikkal P. Balakrishnan Tampi: Suppose the motion is made and passed now to that effect.

President: That is a permissible motion, but it must be moved by somebody and also seconded.

Mr. N. Krishna Aiyar: Sir, I move that on Wednesday afternoon between 2 and 5 P. M. the consideration of all the stages of the Bill may be finished.

Mr. V. Sankara Menon: I second it.

President: It must be remembered that it is a very exceptional procedure and the Chair will see to it that this is not adopted as a matter of course.

Mr. Puthupalli S. Krishna Pillai: Sir, I have to add only one word, that within that time all debates on the amendments now before the House should be finished.

President: The amendments to the Bill and also the remaining stages of the Bill must be finished before the end of that time. That is perfectly clear. This is what is stated in May's Parliamentary Practice:—

> "The conditions under which and the times at which the outstanding stages of the Bill.....should be concluded."

That is the technique found in the Guillotine motion.

The House will now adjourn and meet at 2 O'clock on Wednesday afternoon for legislative business and at 11 O'clock tomorrow for other business.

The House adjourned at 6-37 P. M.

A. GUNAMONY,
Secretary to the Sri Chitra State Council.

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